



Order Filed on March 26, 2019
by Clerk U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

819667
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Attorneys for CARRINGTON MORTGAGE SERVICES,
LLC AS SERVICER FOR THE BANK OF NEW YORK
MELLON, F/K/A THE BANK OF NEW YORK AS
TRUSTEE FOR REGISTERED HOLDERS OF CWABS,
INC., ASSET-BACKED CERTIFICATES, SERIES 2006-
23

In Re:

PETER DIBENEDETTO
EMILIA DIBENEDETTO

Debtor(s)

Case No.: 15-28047 - JNP

Hearing Date: 02/26/2019

Judge: JERROLD N. POSLUSNY JR.

Chapter: 13

Recommended Local Form: ☐ Followed ☒ Modified

ORDER VACATING STAY AND CO-DEBTOR STAY

____ The relief set forth on the following page is hereby **ORDERED**.

DATED: March 26, 2019



Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Upon the motion of CARRINGTON MORTGAGE SERVICES, LLC AS SERVICER FOR THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR REGISTERED HOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-23, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property more fully described as:

136 MARK AVENUE, EGG HARBOR TOWNSHIP, NJ 08234

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☐ Personal property more fully described as:

It is further **ORDERED** that the co-debtor stay under 11 U.S.C. 1301 is vacated as to the co-debtor, LARRY L. BYNUM and STEPHANIE BYNUM, to permit CARRINGTON MORTGAGE SERVICES, LLC AS SERVICER FOR THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR REGISTERED HOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-23 to pursue its rights in the

real property described above and as to the co-debtor, LARRY L. BYNUM and STEPHANIE BYNUM.

It is further **ORDERED** that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 7/12/16

Certificate of Notice Page 4 of 4
 United States Bankruptcy Court
 District of New Jersey

In re:
 Peter DiBenedetto
 Emilia DiBenedetto
 Debtors

Case No. 15-28047-JNP
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Mar 26, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 28, 2019.

db/jdb +Peter DiBenedetto, Emilia DiBenedetto, 138 Lay Drive, Franklinville, NJ 08322-3622

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 28, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 26, 2019 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor Lakeview Loan Servicing, LLC
 bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
 Denise E. Carlon on behalf of Creditor Lakeview Loan Servicing, LLC
 bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.com
 Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
 summarymail@standingtrustee.com
 Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
 Joseph J. Rogers on behalf of Debtor Peter DiBenedetto jjresq@comcast.net,
 jjrogers0507@gmail.com
 Joseph J. Rogers on behalf of Joint Debtor Emilia DiBenedetto jjresq@comcast.net,
 jjrogers0507@gmail.com
 Joshua I. Goldman on behalf of Creditor Lakeview Loan Servicing, LLC jgoldman@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 Nicholas V. Rogers on behalf of Creditor THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF NEW
 YORK AS TRUSTEE FOR REGISTERED HOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-23
 nj.bkecf@fedphe.com
 Rebecca Ann Solarz on behalf of Creditor Lakeview Loan Servicing, LLC rsolarz@kmlawgroup.com
 Sherri Jennifer Smith on behalf of Creditor CARRINGTON MORTGAGE SERVICES, LLC AS SERVICER FOR
 THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR REGISTERED HOLDERS OF
 CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-23 nj.bkecf@fedphe.com, nj.bkecf@fedphe.com
 Sherri Jennifer Smith on behalf of Creditor THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF
 NEW YORK AS TRUSTEE FOR REGISTERED HOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES
 2006-23 nj.bkecf@fedphe.com, nj.bkecf@fedphe.com

TOTAL: 11